

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 2:14mc50618

Hon. Robert H. Cleland

v

Mag Judge Anthony P. Patti

CARLA CAMPBELL,

Defendant,

and

AMSTED INDUSTRIES, INC.,

Garnishee.

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ORDER MODIFYING ORDER TO PAY

This matter is before the Court on a request of Carla Campbell to modify the previously entered order directing Amsted Industries Inc. to liquidate an ESOP account for application against Carla Campbell's unpaid restitution obligation. (Dkt. No. 14). The matter was referred to the Magistrate for Hearing and issuance of a Report and Recommendation. (Dkt. No. 15) The Magistrate Judge conducted a hearing and issued his report. (Dkt. No. 18) No objections to the Report and Recommendation were filed by either party. After review of the matter,

IT IS ORDERED that the findings of the Magistrate as set forth in his Report and Recommendation are adopted; and

IT IS ORDERED that Amsted Industries shall disburse the entire allowable amount during the 2015 calendar year; and from the amount so disbursed, Amsted Industries shall withhold and remit to the Internal Revenue Service, the amount of federal tax that is required to be withheld by the provisions of Title 26 of the United States Code; and

IT IS ORDERED that from the this amount, as determined above, Amsted Industries shall remit 50% of the net proceeds to Carla Campbell and 50% of the net proceeds to the Clerk of the Court, at the Theodore Levin U.S. Courthouse, 231 W. Lafayette, Fifth Floor, Detroit MI 48226; and

IT IS ORDERED that commencing with the distributions that are to be made during the 2016 year and continuing thereafter, Amsted Industries shall liquidate the maximum amount allowable under the ESOP plan (less any required federal tax withholding) and remit 100% of those funds to the Clerk of the Court; and

IT IS ORDERED that the Clerk of the Court shall disburse said funds in accordance with the provisions of the judgment in case number 02CR80166 01; and

IT IS ORDERED that this order shall remain in effect until such time as Amsted Industries no longer has custody or control of any funds belonging to Carla

Campbell, the debt in case number 02CR80166 01 is paid in full or other order of the Court.

Dated: April 13, 2015

s/Robert H. Cleland
Hon. Robert H. Cleland
US District Court